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13 Attorneys for Nevada State Bank

14 RECEIVED AND FILED

15 OCT 12 P 3 52  
 16 U.S. BANKRUPTCY COURT  
 17 Oct 11 4 19 PM CLERK

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 19 U.S. BANKRUPTCY COURT  
 20 DISTRICT OF NEVADA

21 **UNITED STATES BANKRUPTCY COURT**  
 22 **DISTRICT OF NEVADA**

23 In re:

24 USA COMMERCIAL MORTGAGE  
 25 COMPANY, et al.

26 Debtors.

27 Case No. BK-S-06-10725 LBR  
 28 Case No. BK-S-06-10726 LBR  
 1 Case No. BK-S-06-10727 LBR  
 2 Case No. BK-S-06-10728 LBR  
 3 Case No. BK-S-06-10729 LBR

4 Chapter 11

5 Jointly Administered Under  
 6 Case No. BK-S-06-10725 LBR

7 **KERIANN M. ATENCIO'S AFFIDAVIT**  
 8 **SUPPORTING MOTION TO FILE ON PAPER**

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 10 **SUPPORTING MOTION TO FILE ON PAPER**

11 STATE OF ARIZONA )  
 12 ) SS:  
 13 COUNTY OF MARICOPA )

14 Keriann M. Atencio, Esq., being first duly sworn upon my oath, deposes and states as  
 15

1 follows:

2       1. I am an associate in the law firm of Greenberg Traurig, LLP, located in Phoenix,  
3 Arizona.

4       2. I submit this Affidavit in support of my Motion to File on Paper as well as my  
5 Verified Petition for Permission to Practice in this Case Only.

6       3. Eric W. Swanis, Esq. has agreed to act as my Designated Local Counsel in this  
7 matter, and, as such, has signed the Designation of Local Counsel and Consent.

8       4. I am a member in good standing of the Arizona State Bar, where I regularly practice.

9       5. I am not admitted to practice law in Nevada, and have never before personally  
10 applied to appear as counsel in the Nevada Courts.

11       6. I therefore submit this Affidavit, pursuant to Nevada Supreme Court Rule 42(6)(b),  
12 to establish special circumstances and good cause to permit our client to be defended in this matter  
13 by its counsel of choice. Special circumstances and good cause exist because of the existing  
14 relationship between our firm and this client, and my familiarity with the organizations, facts,  
15 documents, witnesses, transactions, and client legal strategies pertinent to this matter.

16       7. I have personally represented and advised this client and have become generally  
17 familiar with the client's organizations and relevant structure and history.

18       8. I have had extensive meetings, interviews and conversation with client  
19 representatives concerning the facts of this matter.

20       9. It is my belief that the client would be deprived of these benefits if I was unable to  
21 represent it in the litigation.

22       10. For all of the foregoing reasons, there are special circumstances and good cause that  
23 warrant the granting of my Motion to File on Paper, my Verified Petition for Permission to Practice  
24 in this Case Only, and allow me to associate as local counsel in this matter, pursuant to Nevada  
25

1 Supreme Court Rule 42.

2 Dated this 9<sup>th</sup> day of October, 2006.

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Kerriann Atencio, Esq.  
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*Kerriann Atencio*  
Kerriann Atencio, Esq.  
Notary Public  
State of Arizona

